

EXHIBIT 6

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

SUVERINO FRITH et al, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

WHOLE FOODS MARKET, INC.

Defendants.

Case No. _____

**AFFIDAVIT OF LINDSAY VUONG IN SUPPORT OF
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

I, Lindsay Vuong, hereby declare:

1. I have personal knowledge of the facts set forth in this declaration and could and would testify competently to them.
2. I have been working as an employee for Whole Foods for approximately two years. I am Asian.
3. I work at the Whole Foods located at 200 Alewife Brook Parkway (the Fresh Pond location) in Cambridge, Massachusetts.
4. Due to the onset of the COVID-19 pandemic, Whole Foods requires all its employees wear a mask to work.
5. Following the death of George Floyd and demonstrations springing up across the country in support of the Black Lives Matter movement, and hearing that Whole Foods employees at the Whole Foods River Street location in Cambridge, Massachusetts, had been disciplined for wearing Black Lives Matter masks, I decided to participate and wear the Black Lives Matter masks to work.

6. On July 12, I wore a Black Lives Matter masks, to express support for my Black coworkers and the Black and non-Black employees at River Street who had been disciplined for wearing the masks.
7. I got sent home without pay on the premise that the mask violated the dress code.
8. I want to continue to wear the Black Lives Matter mask to work but am nervous about what will happen if I continued to wear it, given management's quick reaction to send us home the day before, and the difficult financial position I would be in if I had to forego wages or even lose my job during a pandemic.
9. I was surprised by Whole Foods disciplining and retaliating against us for wearing the masks, since the company has publicly expressed support for the Black Lives Matter movement.
10. Whole Foods claims that it is disciplining us because the Black Lives Matter masks violate the dress code policy, which prohibits employees from wearing clothing with visible slogans, messages, logos, or advertising that are not company-related.
11. I believe that Whole Foods is selectively enforcing its dress code to discipline employees for wearing Black Lives Matter masks, by sending employees who wear the Black Lives Matter masks home without pay and assigning employees a disciplinary point for each time they are sent home.
12. Despite the warnings and the discipline I have received, I continued to wear my Black Lives Matter mask because I believe that Whole Foods is discriminating

against my Black co-workers and other employees of color by refusing to support my Black co-workers.

13. I believe that Whole Foods is discriminating and retaliating against my Black co-workers by disciplining them for wearing Black Lives Matter masks, and against other workers who associate with them and are advocating for them, by disciplining us for wearing Black Lives Matter masks.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 07/19/2020 .

A handwritten signature in cursive script that reads "Lindsay Vuong".

Lindsay Vuong